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Altera Law Group, LLC

Intellectual Property Law
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FROM: Altera Law Group, LLC
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December 5, 2006
Page(s): 4.

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TO: Commissioner for Patents and
Trademarks
ATTN: Examiner David A. Izquierdo
Group Art Unit 3738
Alexandria, VA 22313-1450

FROM: Michael B. Lasky

Applicant: Piers et al.
Filed: 1 December 2003
Docket No.: 03375.0013-US-01
Title: Multifocal Ophthalmic Lens

Serial No.: 10/724,852
Group Art Unit: 3738

Document Transmitted: Communication Regarding Terminal Disclaimer.

Please charge any fees or credit any overpayment to Deposit Account 50-1038.

Respectfully submitted,

Altera Law Group, LLC
Customer No. 22865

Date:

5 December 2006

By:

Michael B. Lasky
Reg. No. 29,555
MBL/jsa

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on the date shown below

5 December 2006

Date

Jennifer Armstrong

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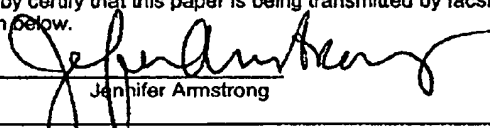
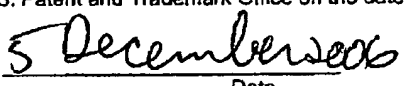
Serial No. 10/724,852

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Piers et al.	Examiner:	David A. Izquierdo
Serial No.:	10/724,852	Group Art Unit:	3738
Filed:	Dec. 1, 2003	Docket No.:	24793-25
Title:	Multifocal Ophthalmic Lens		

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Jennifer Armstrong
Date


COMMUNICATION REGARDING TERMINAL DISCLAIMER

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

A Power of Attorney document has now been filed in this case. The Terminal Disclaimer which was previously filed on 20 October 2006 but rejected due to a lack of Power of Attorney document, should now be in condition for entry. It is resubmitted herewith.

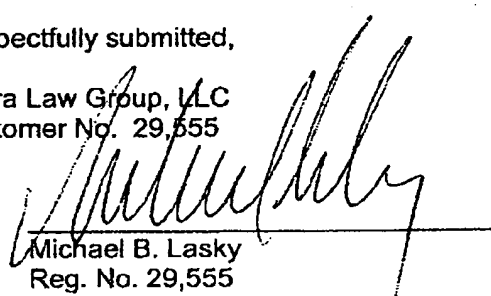
Respectfully submitted,

Altera Law Group, LLC
Customer No. 29,555

Date:



By:


Michael B. Lasky
Reg. No. 29,555

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PATENT

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Applicant:	Piers et al.	Examiner:	David A. Izquierdo
Serial No.:	10/724,852	Group Art Unit:	3738
Filed:	Dec. 1, 2003	Docket No.:	24793-25
Title:	Multifocal Ophthalmic Lens		

CERTIFICATE UNDER 37 C.F.R. 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described herein, are being deposited in the United States Postal Service, as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450 on <u>December 2006</u>	
<u>Jennifer Armstrong</u> Name	<u>Jennifer Armstrong</u> Signature

**Terminal Disclaimer to Obviate a Double Patenting Rejection
Over a Prior Patent
Under 37 C.F.R. §1.321**

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The Owner, Advanced Medical Optics, Inc., of 100% percent of the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §154-156, §173, as presently shortened by any terminal disclaimer of prior Patent Number 6,830,332. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §154-156, §173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

- ☒ 1. For submissions on behalf of an organization (e.g. corporation, partnership, university, government, agency, etc.), the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

- ☐ 2. The undersigned is an attorney of record.

Also enclosed is a check in the amount of \$130.00 for the terminal disclaimer fee ✓
under 37 C.F.R. §1.20(d).

Respectfully submitted,
Altera Law Group, LLC
Customer No. 22865

Date: 10/20/2006

By: 

Ronald E. Gerber
Reg. No. 57,166